

110TH CONGRESS
2D SESSION

S. 3176

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to provide mental health and substance abuse services.

IN THE SENATE OF THE UNITED STATES

JUNE 23, 2008

Mr. REID (for Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to provide mental health and substance abuse services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disaster Recovery Sub-
5 stance Abuse Mental Health Treatment Act of 2008”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1 (1) the term “emergency response provider”
2 has the meaning given that term in section 2 of the
3 Homeland Security Act of 2002 (6 U.S.C. 101); and
4 (2) the term “major disaster” has the meaning
5 given that term in section 102 of the Robert T.
6 Stafford Disaster Relief and Emergency Assistance
7 Act (42 U.S.C. 5122).

8 **SEC. 3. MENTAL HEALTH AND SUBSTANCE ABUSE SERV-**
9 **ICES.**

10 (a) AUTHORITY.—

11 (1) IN GENERAL.—Title IV of the Robert T.
12 Stafford Disaster Relief and Emergency Assistance
13 Act (42 U.S.C. 5170 et seq.) is amended by striking
14 section 416 and inserting the following:

15 **“SEC. 416. MENTAL HEALTH AND SUBSTANCE ABUSE SERV-**
16 **ICES.**

17 “(a) IN GENERAL.—The President may provide men-
18 tal health and substance abuse services, including crisis
19 counseling, mental health treatment referrals, and in se-
20 vere cases, mental health and substance abuse treatment
21 (including medication and medication management) to in-
22 dividuals affected by a major disaster (including children
23 and other vulnerable populations, and emergency response
24 providers (as that term is defined in section 2 of the
25 Homeland Security Act of 2002 (6 U.S.C. 101)) respond-

1 ing to a major disaster) to relieve or prevent mental health
2 or substance abuse problems caused or aggravated by that
3 major disaster or its aftermath.

4 “(b) FINANCIAL ASSISTANCE.—The assistance pro-
5 vided under subsection (a) may include providing financial
6 assistance to Federal, State, or local government agencies,
7 public or private mental health or substance abuse organi-
8 zations, or mental health providers to provide mental
9 health or substance abuse services or train individuals to
10 provide such services.

11 “(c) DURATION OF ASSISTANCE.—

12 “(1) IN GENERAL.—The President may provide
13 financial assistance under this section relating to a
14 particular major disaster to a Federal, State, or
15 local government agency or a public or private men-
16 tal health or substance abuse organization for a pe-
17 riod of not longer than 18 months.

18 “(2) EXTENSION.—In limited circumstances,
19 such as a catastrophic incident (as that term is de-
20 fined in section 501 of the Homeland Security Act
21 of 2002 (6 U.S.C. 311), the President may extend
22 the period of financial assistance under this section
23 if the President determines that the extension is in
24 the public interest.”.

1 (2) EFFECTIVE DATE.—The amendment made
2 by this subsection shall apply to any major disaster
3 declared by the President on or after August 29,
4 2005.

5 (b) RESPONSE PLAN.—Not later than 180 days after
6 the date of enactment of this Act, the Administrator of
7 the Substance Abuse and Mental Health Services Admin-
8 istration and the head of any other Federal agency that
9 provides mental health or substance abuse services, in co-
10 ordination with the Administrator of the Federal Emer-
11 gency Management Agency and State and local govern-
12 ment officials with responsibilities for providing mental
13 health or substance abuse prevention and services, shall—

14 (1) conduct a survey of mental health services
15 and substance abuse services; and

16 (2) develop a strategy for the adequate provi-
17 sion of mental health and substance abuse services
18 to individuals affected by major disasters and to
19 emergency response providers responding to major
20 disasters.

21 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
22 Title IV of the Robert T. Stafford Disaster Relief and
23 Emergency Assistance Act (42 U.S.C. 5170 et seq.) is
24 amended by redesignating section 425 (relating to essen-
25 tial service providers), as added by section 601 of the

- 1 SAFE Port Act (Public Law 109–347; 120 Stat. 1941),
- 2 as section 427.

